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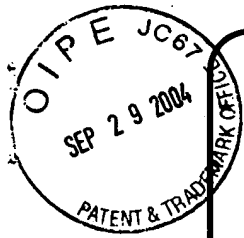
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1746

PTO/SB/21 (08-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

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|---|----------------------|------------------------|----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/987,225 | |
| | Filing Date | November 14, 2001 | |
| | First Named Inventor | Timothy J. Schmidt | |
| | Art Unit | 1746 | |
| | Examiner Name | Jonathan Crepeau | |
| Total Number of Pages in This Submission | 14 | Attorney Docket Number | RE35-020 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Return Postcard Receipt; Copy of Notice of Non-Compliant Amendment |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | NO FEES ARE BELIEVED DUE. | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---------------------------------------|
| Firm or Individual name | George G. Grigel; Wells St. John P.S. |
| Signature | |
| Date | 29 Sept 04 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/987,225
Filing Date November 14, 2001
Inventor..... Timothy J. Schmidt et al.
Assignee ReliOn, Inc.
Group Art Unit.....1746
Examiner Jonathan Crepeau
Attorney's Docket No.RE35-020
Title: Fuel Cell Power Systems and Methods of Operating Fuel Cell Power Systems

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: George G. Grigel (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

Dear Sir:

This responds to the Notice of Non-Compliant Amendment dated September 13, 2004, a copy of which is attached to this paper.

In response to the Office Action dated May 28, 2004, kindly amend the above identified application as follows:

AMENDMENTS

Amendments to the claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 10 of this paper.